

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

February 5, 2007

MINUTES

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I. CALL TO ORDER

A.

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Meeting called to order by Mayor Laux at 8:00 p.m.			

II. PLEDGE OF ALLEGIANCE

A.

Item Action:
None

III. ROLL CALL/EXCUSED ABSENCES

A.

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Present: Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor Comments Also Present: Mayor Laux, CA/HDR Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, PRD Tungate, Comp/Treasurer Stoffel, Clerk Galeazzi, and the Press. Excused Dept. Head: PHD Nett			

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 1/15/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council Minutes of 1/15/07	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on voice vote.				

Minutes to receive:

B. [Minutes to receive \(1-13\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive 1-13.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on voice vote.				

Communications:

1.

[Communications \(1-21\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Communications 1-21.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on voice vote.				

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			
	A. Jerry Wittmann, 1290 Fieldview Drive, O-3-07 Rezoning of Province Terrace.			
	Comments			
	B. Ken Kubiak, 1214 Fieldview Drive. O-3-07 Rezoning of Province Terrace.			
	Comments			
	C. Kevin Benner, 1190 Fieldview Drive. O-3-07 Rezoning of Province Terrace.			
	Comments			
	D. Bob Drifka, BFT Development. O-3-07 Rezoning of Province Terrace.			

VI. APPOINTMENTS

A. [Mayor's Appointment to the Neenah-Menasha Joint Fire Commission](#) [1. Elizabeth Nevitt, 858 6th St., Menasha to replace Dale Weber for the term of February 6, 2007 to May 1, 2007](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Appointment of Elizabeth Nevit to N-M Joint Fire Commission	Alderman Eckstein	Alderman Pack	Passed
Motion carried on voice vote.				

VII. CLAIMS AGAINST THE CITY

A.

Item Action:
None

VIII. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1.

[None](#)

Item Action:
None

B. Administration Committee:

1.

[License: Class "B" Application of Carmen Zamudio, d/b/a La Fiesta Mexican Restaurant, for the premises at 14 Tayco Street, for the 2006-2007 licensing year](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Class B Liquor License Application of Carmen Zamudio	Alderman Eckstein	Alderman Pack	Passed

Motion carried on voice vote.

2.

[Approval of Proposal to extend contract for Information Technology Services for 2007 with Schenck Technology Solutions and authorized signature](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	To extend contract for IT Services for 2007 with Schenck Technology Solutions.	Alderman Eckstein	Alderman Wisneski	Passed

Motion carried on roll call 8-0.

3.

[Menasha Health Department proposed 2007-2008 Parochial School Fees](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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approve 2007-2008 Parochial School Fees. Alderman Eckstein Alderman Pack Passed
Motion carried on roll call 8-0.

4.

[Agreement and Contract between Advocap, Inc. and City of Mensha, Committee on Aging with Menasha Senior Center, January 1, 2007 - December 31, 2007, and authorized signature](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Agreement with Advocap, Inc.	Alderman Eckstein	Alderman Wisneski	Passed
Motion carried on roll call 8-0.				

5.

[Request for Proposal for 4th of July Fireworks \(Ald. Taylor\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	RFP for 4th of July Fireworks and solicit bids from Bartolotta, Five Star, Central States and Spielbauer	Alderman Taylor	Alderman Merkes	
Discussion.				
Comments				
Requested by Ald. Taylor and Ald. Merkes to hold for two weeks.				

6.

[RFP for Safety Coordination](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	RFP for Safety Coordination and send to places recommended by the City Attorney including State Safety Council.	Alderman Wisneski	Alderman Pack	Passed
Motion carried on voice vote.				

7.

[Accounts payable and payroll for the period of 1-18-07/2-1-07 for the amount of \\$1,272,094.31](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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approve Accounts payable and payroll. Alderman Eckstein Alderman Wisneski Passed
Motion carried on roll call 8-0.

C. Board of Public Works:

1.

[Recommendation to Eliminate 4-Way Stop Traffic Control at Deerhaven Drive and Southfield Drive](#)

Item Action:

None 2.

[Recommendation to Maintain 4-Way Stop Traffic Control at First Street and Appleton Street; 500-600 Blocks of First Street](#)

Item Action:

None 3.

[Recommendation to Eliminate 4-Way Stop Traffic Control at Deerhaven Drive and Southfield Drive](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Acted on in Board of Public Works (directed City Attorney to prepare ordinance).

4.

[Recommendation to Maintain 4-Way Stop Traffic Control at First Street and Appleton Street; 500-600 Blocks of First Street](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Acted on in Board of Public Works (directed City Attorney to prepare ordinance).

5.

[Change Order--Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; ADD: \\$13,177.20 \(Change Order No. 2\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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approve	Change Order-Vinton Construction Co.	Alderman Taylor	Alderman Pack	Passed
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Motion carried on roll call 8-0.

6.

[Payment--Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; \\$44,849.35 \(Payment No. 3\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment-Dorner, Inc.	Alderman Taylor	Alderman Pack	Passed
Motion carried on roll call 8-0.				

7.

[Payment-Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \\$23,019.17](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment-Vinton Construction Co.	Alderman Taylor	Alderman Pack	Passed
Motion carried on roll call 8-0.				

8.

[Recommendation to Move Street Light from Pole #1161 to #1160 because of the Trees, Fourth Street \(Ald. Taylor\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to move street light.	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 8-0.				

9.

[Recommendation to Move Street Light from Pole # 1163 to #1162 because of the Trees, Fourth Street \(Ald. Taylor\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to move street light.	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 8-0.				

10.

[Recommendation to Move Street Light from Pole #1179 on th Corner of Fourth and DePere to Pole #1164 \(Ald. Taylor\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to move street light.	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 8-0.				

11.

[Recommendation to Move Street Light from Pole #1195, Northeast Corner, Sixth and DePere to Pole #1196 \(Ald. Taylor\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to move street light	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 8-0.				

12.

[Authorization to Participate in County Trunk Highway AP Project \(Winnebago County\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Participation in CTH AP Project with provision that Winnebago County recognizes City's concerns about sidewalks, driveways and sanitary sewer	Alderman Wisneski	Alderman Pack	Passed
Motion carried on roll call 8-0.				

IX. ORDINANCES AND RESOLUTIONS

A. [O-1-07 - An Ordinance Relating to City of Menasha Purchasing Policy](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To table O-1-07	Alderman Taylor	Alderman Hendricks	Passed
Motion carried on roll call 5-3. Ald. Chase, Hendricks, Pack, Taylor, Wisneski-yes. Ald. Eckstein, Merkes, Michalkiewicz-no.				

B. [O-2-07 - Substitute 1 to Ordinance Relating to "Dry Nights" at Licensed Premises \(Held 1/15/07\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Substitute Amendment 1 to O-2-07	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 7-1. Ald. Eckstein - no.				
move	To amend to change age to 18 and over.	Alderman Taylor		Died for lack of Second
adopt	O-2-07 as amended	Alderman Merkes	Alderman Hendricks	Passed

Motion carried on roll call 6-2. Ald. Merkes, Taylor, Pack, Hendricks, Michalkiewicz, Chase-yes. Ald. Wisneski, Eckstein-no.

C. [R-4-07 - A Resolution Congratulating Hannah Rasmussen](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Acted on in Administration Committee (Adopted)

D. [O-3-07 - An Ordinance Amending Title 13 by Making Certain Changes in the District \(Drifka Rezoning\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	O-3-07	Alderman Michalkiewicz	Alderman Eckstein	Passed

Motion carried on roll call 6-2. Ald. Merkes, Wisneski, Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Taylor, Hendricks - no.

X. HELD OVER BUSINESS

A. [Recission of ss74.33\(1\)\(f\)-Agricultural Use Status of Calumet County Parcel #7-00002-01 \(Held 1/15/07\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recession of ss74.33(1)(f)	Alderman Wisneski	Alderman Eckstein	Passed

Motion carried on roll call 8-0.

B. [RW Management Contract for Safety Coordination and Project Management for the term of January 2, 2007 to March 31, 2007 and authorize signature](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	RW Management Contract.	Alderman Michalkiewicz	Alderman Eckstein	Passed

Motion carried on roll call 5-3. Ald. Taylor, Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Merkes, Wisneski, Hendricks - no.

XI. COUNCIL DIRECTIVES

A. [CA/HRD Brandt - Status of Gatehouse property \(Ald. Hendricks\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

CA/HRD Brandt reported closing documents have been reviewed by Evans Title. They are satisfied with the deed, but not the condominium association agreement. A new condominium association agreement will need to be drafted and signatures collected. Then a closing date will be scheduled.

B. [CA/HRD Brandt - Status of Heckrodt Annexation \(Ald. Chase\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

CA/HRD Brandt reported the new annexation documents have been sent to the Dept. of Administration for their approval. Once approved, the ordinance will be prepared and submitted to Council.

C. [CDD Keil - Status of 535 1st St. \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil reported Winnebago County Corporate Counsel is preparing the Warranty Deed and Transfer Tax forms. Habitat for Humanity members might help with the demolition.

D. [CDD Keil - Status of 81 & 87 Racine St. \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil reported he received a letter from the Dept. of Commerce. They have reviewed the plan and accepted the bid. Next step is for the City to sign a contract with the firm to do the clean up work. He will be submitting the contract for Council approval. The phone company has been contacted to remove the pole that is on the property.

E. [CDD Keil - Update on the Comprehensive Planning process \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil reported he has contacted Foth, the company that is working on the Comprehensive Plan. He has asked them to prepare a timeline of the progress.

F. [CDD Keil - Status of grocery store \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil reported he has been talking with the developer, operator and supplier. They are working on finalizing their plans and securing financing. The print shop building needs to be removed. They are still in negotiations on this.

G. [CDD Keil - Zoning code issues for Province Terrace \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil addressed this issue previously in the meeting.

H. [CDD Keil - Status of Theater project \(Ald. Hendricks\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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CDD Keil reported his last conversation with the owners indicated the final inspection of the property would take place the end of February.

I. [DPW Radtke - Status of hiring at Public Works Facility \(Ald. Merkes\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

DPW Radtke reported they have finished the interviewing process. Staff will make recommendations and do background checks. Hope to have one new hire in place by mid to late March and a second sometime in April.

Comments

Comments

Next Agenda: Ald Merkes-1) Update on Army Reserve Building; 2) Status of sign at Library. Ald. Wisneski-Status of Larson Engineering Study. Ald. Eckstein-1) Novus Agenda; 2) Update on SCA tax-exempt status. Ald. Taylor-1) Status of 535 1st Street; 2) Status of 81 and 87 Racine Street; 3) Status of grocery store. Ald. Chase-1) Heckrodt Wetland Reserve Annexation; 2) Status of parking lot lighting at Stone Toad. Ald. Hendricks-1) Status of Gatehouse property; 2) Status of theater project; 3) Status of hedge on corner of 4th and Konemac St; 4) Council packet available at Library

XII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

A. Kevin Benner, 1190 Fieldview Dr. O-3-07 Rezoning of Province Terrace.

XIII. ADJOURNMENT

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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move

To adjourn at 9:24p.m.

Alderman Taylor

Alderman Pack

Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi City Clerk